IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

THURSDAY, THE 29TH NOVEMBER 2007 / 8TH AGRAHAYANA 1929

LA.App..No. 1031 of 2005()

LAR.279/1996 of PRL.SUB COURT, KOZHIKODE
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APPELLANT: CLAIMANTS
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1. KUNIYIL VELAYUDHAN (DIED),
KUNIYIL HOUSE, THALAKULATHU P.O., KOZHIKODE.

2. K.BABY, KUNIYIL HOUSE,
THALAKULATHU P.O., KOZHIKODE.

3. K.SANTHOSH, KUNIYIL HOUSE,
THALAKULATHU P.O., KOZHIKODE.

4. K.SHAMEJ, KUNIYIL HOUSE,
THALAKULATHU P.O., KOZHIKODE.

5. K.JITHNA, KUNIYIL HOUSE,
THALAKULATHU P.O., KOZHIKODE.

BY ADV. SRI.NIRMAL. S

RESPONDENTS: RESPONDENT

SPECIAL TAHSILDAR,
LAND ACQUISITION, NH II, KOZHIKODE.

BY GOVERNMENT PLEADER SRI.K.V.MANOJKUMAR.

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 29/11/2007, ALONG WITH L.A.A.No.1032/2005 AND CONNECTED CASES, THE THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A.Nos.1031 & 1032/2005,
547 & 548/2006

Dated this the 29th day of November, 2007

JUDGMENT

Kurian Joseph,J.

These are appeals filed by the claimants aggrieved by the fixation of land value. The acquisition is for Kozhikode Bye-pass. The properties are situated in Thalakulathur Village. The reference court fixed the land value at Rs.7,000/- per cent. It is seen that this court has refixed land value at Rs.18,000/- per cent in L.A.A.No.982/2000 and connected cases. Accordingly these appeals are allowed. The appellants shall be entitled to have the land value refixed at Rs.18,000/- per cent. They shall also be entitled for all the statutory benefits including interest on solatium. The appellants shall pay the deficit court fee within two weeks from today and if not the appeals will stand dismissed.

(KURIAN JOSEPH, JUDGE)

(HARUN-UL-RASHID, JUDGE)

ahg.

KURIAN JOSEPH &
HARUN-UL-RASHID, JJ.

L.A.A.Nos.1031 & 1032/2005,
547 & 548/2006

JUDGMENT

29th November, 2007